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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER OFI001-237955 U.S. APPLICATION NUMBER (see 37 CFR 1.5) 107586167 |
| INTERNATIONAL APPLICATION NO. PCT/IB2005/000141 | INTERNATIONAL FILING DATE January 20, 2005 | PRIORITY DATE CLAIMED January 21, 2004 |
| TITLE OF INVENTION NEW POLYMORPHIC FORM OF ONDANESTRON, PROCESSES FOR PREPARING THEM, PHARMACEUTICAL.. | | |
| APPLICANT(S) FOR DO/EO/US Pere DALMASES BARJOAN; Lluís SOLA CARANDELL, Francesc ALCIBE OLLE; Maria Cristina PUIGJANER VALLET | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. | | |
| 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. | | |
| 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. | | |
| 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). | | |
| 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) | | |
| a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). | | |
| b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. | | |
| c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). | | |
| 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). | | |
| a. <input type="checkbox"/> is attached hereto. | | |
| b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). | | |
| 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) | | |
| a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). | | |
| b. <input checked="" type="checkbox"/> have been communicated by the International Bureau. | | |
| c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. | | |
| d. <input type="checkbox"/> have not been made and will not be made. | | |
| 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). | | |
| 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). | | |
| 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. | | |
| 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. | | |
| 13. <input checked="" type="checkbox"/> A preliminary amendment. | | |
| 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. | | |
| 15. <input checked="" type="checkbox"/> A substitute specification. | | |
| 16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter. | | |
| 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. | | |
| 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). | | |
| 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). | | |

AP20 Rec'd PCT/PTO 14 JUL 2006

PTO-1390 (Rev. 07-2005)
Approved for use through 3/31/2007. OMB 0651-0021
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|---|--------------|---|---------|---|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/586167 | | INTERNATIONAL APPLICATION NO. PCT/IB2005/000141 | | ATTORNEY'S DOCKET NUMBER OF1001-237955 | |
| 20. Other items or information: <div style="text-align: center; padding: 10px;">Certificate of Express Mail</div> | | | | | |
| The following fees have been submitted | | | | CALCULATIONS PTO USE ONLY | |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300 | | | | \$ 300 | |
| 22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) | | | | 200 | |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 | | | | \$ 200 | |
| All other situations.....\$200 | | | | | |
| 23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) | | | | | |
| If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0 | | | | | |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 | | | | \$ 500 | |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400 | | | | | |
| All other situations.....\$500 | | | | | |
| TOTAL OF 21, 22 and 23 = | | | | 1000 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 = | /50 = | | x \$250 | \$ 0 | |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)). | | | | \$ 0 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ 0 | |
| Total claims | 8 - 20 = | 0 | x \$ 50 | \$ 0 | |
| Independent claims | 3 - 3 = | 0 | x \$200 | \$ 0 | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360 | \$ 0 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 0 | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. | | | | 500 | |
| SUBTOTAL = | | | | \$ 500 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ 0 | |
| TOTAL NATIONAL FEE = | | | | \$ 500 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ 40 | |
| TOTAL FEES ENCLOSED = | | | | \$ 540 | |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged | \$ |

10/586167

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- a. ☒ A check in the amount of \$ 540.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
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- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-2820. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

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REGISTRATION NUMBER

10/586167

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OFI001-237955

PTO/SB92 (08-00)

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I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail under 37 CFR 1.10 on the date indicated below and is addressed to:

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on July 14, 2006

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1. Postcard
2. Certificate of Express Mail (one page)
3. Check number 104518 in the amount of \$540.00
4. Letter re priority (one page)
5. Drawing (one page)
6. Transmittal letter (two pages)
7. Recordation Sheet (one page)
8. Preliminary Amendment (six pages)
9. Specification (sixteen pages)
10. Assignment (two pages)
11. Oath/Declaration (three pages)
12. Application Data Sheet (four pages)
13. Information Disclosure Statement (two pages)
14. References (one hundred and sixty-four pages)